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EXAMINER	
VAN HANDEL, MICHAEL P	
ART UNIT	**PAPER NUMBER**
2424	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/997,336	KAMEN ET AL.	
	Examiner	Art Unit	
	MICHAEL VAN HANDEL	2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 November 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4,6-9,11,12,14-17,19-27 and 32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3, 4, 6-9, 11, 12, 14-17, 19-27, 32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 11/30/2010. Claims **1**, **3**, **4**, **6-9**, **11**, **12**, **14-17**, **19-27**, **32** are pending. Claims **1**, **9**, **11**, **17**, **19-23**, **25**, **26** are amended. Claims **2**, **5**, **10**, **13**, **18**, **28-31** are canceled. Claim **32** is new.

Response to Arguments

2. Applicant's arguments regarding claims **1**, **9**, and **17**, filed 11/30/2010, have been considered, but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims **1**, **3**, **4**, **6-9**, **11**, **12**, **14-16**, **21**, **22**, and **32** rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Referring to claims **1** and **9**, the examiner fails to find support for the phrase "transmitting instructions for displaying the abbreviated program title interchangeably with the original

program title in a program title field of the electronic program guide at a first location" in Applicant's specification. Applicant's specification refers to software to obtain an abbreviated program, and that this software can be implemented on the set-top box or at the head-end or on a server (p. 2, paragraphs 21, 23, 28 & p. 3, paragraph 31 of published version of Applicant's specification US 2002/0087985). Paragraph 31 states that the abbreviation software can be broadcast via link 426 and satellite uplink 403, but the abbreviation software appears to be the software for abbreviating the title (paragraph 21 & Fig. 1). Nowhere does the specification state that the abbreviation software is the GUI software, and Applicant's specification states that the zooming operation can be performed depending on the GUI used. As such, the examiner fails to find support in Applicant's specification for transmitting the instructions for interchangeably displaying the abbreviated and full titles.

Referring to claim **32**, the examiner fails to find support for transmitting instructions for transitioning the display between the abbreviated program title and the original program title upon receipt of a zoom command for the same reasons mentioned with respect to claims 1 and 9 above.

Claims **3**, **4**, **6-9**, **11**, **12**, **14-16**, **21**, **22**, and **32** are rejected as being dependent on the aforementioned independent claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims **1**, **9**, **17**, **21-23**, **25**, **32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Fleischer.

Referring to claims **1**, **9**, and **17**, Davis et al. discloses a method/non-transitory machine-readable storage medium/apparatus comprising:

- determining at least two meaningful words in an original program title of an electronic program guide, wherein each of the at least two meaningful words appears at least once in a database storing program titles, the at least two meaningful words including a first word and a second word (if a title has not been previously edited and the title is too long for its grid size, an editor edits the title to fit the grid. Figure 11a illustrates that the editor found the words "BEST," "SHOW," and "TODAY," as being meaningful for display, but in reduced 60 and 30 minute grid slots found the words "BEST" and "SHOW" as being more meaningful than the word "TODAY." The edits are then stored in a library of shortened titles)(col. 18, l. 12-21, 35-43; col. 19, l. 38-43; & Figs. 10A, 11a, 11b);
- selectively removing a less descriptive word from the program title (col. 18, l. 12-21);
- determining a plurality of essential words of the program title based on a meaning of the program title, wherein the plurality of essential words convey the meaning of the program title (col. 17, l. 60-67 & Fig. 11a);
- determining the number of characters necessary to display the plurality of essential words (col. 18, l. 1-3); and

- removing an essential word if the number of characters necessary to display the plurality of essential words is greater than a specified number of characters, to create an abbreviated program title (col. 18, l. 35-43 & Figs. 10A, 10B);
- transmitting the abbreviated program title to a client device (col. 8, l. 38-47); and
- displaying the abbreviated program title in a program title field of the electronic program guide (Figs. 5a-5c, 7a-7c, & 11a).

Davis et al. further discloses a library of shortened titles for determining if a title has been previously shortened (col. 18, l. 35-45). Davis et al. does not specifically disclose determining that the first word appears in the database at a greater frequency than the second word and determining that the first word is a less descriptive word in response to determining the first word appears in the database with a greater frequency than the second word. Fleischer discloses condensing text by determining words and phrases of greatest significance. Fleischer discloses determining how frequently words and word phrases appear and determining that words and word phrases that appear less frequently have greater significance (col. 1, l. 55-59; col. 3, l. 18-22, 27-30, 40-50; & col. 4, l. 53-64). For example, if the noun phrase "black cat" appears 20 times in a document and the noun phrase "green cat" appears 15 times in the document, the phrase "green cat" is maintained in the summarized text, since it is not as frequently used and is determined to be more suggestive of the document's subject. It would have been obvious to one of ordinary skill in the art at the time that the invention was made to include a step of determining meaningful words from the database of Davis et al. to automatically remove words on the basis of frequency appearance, such as that taught by Fleischer in order to provide

automatic means for providing a sufficient synopsis of material for a reader (Fleischer col. 1, l. 25-31).

The combination of Davis et al. and Fleischer does not specifically teach transmitting the original program title to the client device and transmitting instructions for displaying the abbreviated program title interchangeably with the original program title in a program title field of the electronic program guide at a first location. Ellis et al. discloses receiving program guide information and program guide application data from a television distribution facility (p. 4, paragraphs 99, 101). Ellis et al. further discloses displaying an editorially shortened program title that fits into available screen space (p. 7, paragraphs 127, 128). When the user selects the editorially shortened program title, a program information screen 150 is displayed with the full title of the program (p. 7, paragraph 128). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the program title display of Davis et al. in the combination of Davis et al. and Fleischer to include transmitting the full program title to the client and instructions for selecting the edited title to display the full program title, such as that taught by Ellis et al. in order to provide a user with detailed information in a user-friendly interface.

Further referring to claim **17**, Davis et al. discloses a memory 115 (col. 17, l. 49-50 & Fig. 1).

Referring to claims **21-23**, the combination of Davis et al., Fleischer, and Ellis et al. teaches the method/machine-readable storage medium/apparatus of claims 1, 9, and 17, respectively, wherein the method further includes:

- parsing text of the program title (Davis et al. col. 17, l. 48-50, 60-67; col. 18, l. 1-3, 13-21; & Figs. 10A, 11a);

- determining at least one nonessential, nonrelational word of the program title (Davis et al. col. 18, l. 12-21; col. 19, l. 38-43; & Figs. 10A, 11a); and
- removing the nonessential, nonrelational word from the program title (Davis et al. Figs. 10A & 11a).

Referring to claim **25**, the combination of Davis et al., Fleischer, and Ellis et al. teaches the apparatus of claim 17, wherein the apparatus is a head end device (Davis et al. Fig. 1).

Referring to claim **32**, the combination of Davis et al., Fleischer, and Ellis et al. teaches the method of claim 1, further comprising transmitting instructions for transitioning the display between the abbreviated program title and the original program title upon receipt of a zoom command (when the user selects the editorially shortened program title, a program information screen 150 is displayed with the full title of the program)(Ellis et al. p. 7, paragraphs 127, 128).

7. Claims **3**, **4**, **8**, **11**, **12**, **16**, **19**, and **20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Fleischer, further in view of Ellis et al., and still further in view of Kudrolli et al.

Referring to claims **3**, **11**, and **19**, the combination of Davis et al., Fleischer, and Ellis et al. teaches the method/non-transitory machine-readable storage medium/apparatus of claims 1, 9, and 17, respectively. The combination of Davis et al. and Fleischer further teaches parsing text of the program title (Davis et al. col. 17, l. 48-50, 60-67; col. 18, l. 1-3, 13-21; & Figs. 10A, 11a), determining at least one nonessential, nonrelational word of the program title (Davis et al. col. 18, l. 12-21; col. 19, l. 38-43; & Figs. 10A, 11a), and removing the nonessential, nonrelational

word from the program title (Davis et al. Figs. 10A & 11a). The combination of Davis et al., Fleischer, and Ellis et al. does not specifically teach:

- determining at least one relational word of the program title; and
- replacing the at least one relational word with a representative character.

Kudrolli et al. discloses replacing the word "and" with the character "&" in order to cope with display space constraints in computer software (Fig. 20). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Davis et al., Fleischer, and Ellis et al. to include replacing the word "and" with the character "&," such as that taught by Kudrolli et al. in order to make program guides more useful for a viewer and more pleasant to watch (Davis et al. col. 2, l. 38-41).

Referring to claims **4**, **12**, and **20**, the combination of Davis et al., Fleischer, Ellis et al., and Kudrolli et al. teaches the method/non-transitory machine-readable storage medium/apparatus of claims 1, 11, and 17, respectively, further parsing the text of the program title (Davis et al. col. 17, l. 48-50, 60-67; col. 18, l. 1-3, 13-21; & Figs. 10A, 11a), determining at least one nonessential, nonrelational word of the program title (Davis et al. col. 18, l. 12-21; col. 19, l. 38-43; & Figs. 10A, 11a), removing the nonessential, nonrelational word from the program title (Davis et al. Figs. 10A & 11a), determining at least one relational word of the program title (Kudrolli et al. Fig. 20), and replacing the at least one relational word with a representative character (Kudrolli et al. Fig. 20). The combination of Davis et al., Fleischer, Ellis et al., and Kudrolli et al. further teaches including abbreviating at least one of the plurality of essential words if the number of characters necessary to display the plurality of essential words is greater than the specified number of characters (Kudrolli et al. col. 7, l. 48-55).

Referring to claims **8** and **16**, the combination of Davis et al., Fleischer, Ellis et al., and Kudrolli et al. teaches that an essential word occurring most frequently in the database is removed (Kudrolli et al. col. 7, l. 40-47).

8. Claims **6**, **14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Fleischer, further in view of Ellis et al., and still further in view of Knauft et al.

Referring to claims **6** and **14**, the combination of Davis et al., Fleischer, and Ellis et al. teaches the method/non-transitory machine-readable storage medium of claims 21 and 22, respectively. The combination of Davis et al., Fleischer, and Ellis et al. does not specifically teach that the at least one nonessential, nonrelational word comprises all of the words selected from the group consisting of adverbs, adjectives, prepositions, and articles. Knauft et al. discloses an electronic document retrieval system that removes adjectives or adverbs from the document prior to presenting the document to an information retrieval (IR) engine. It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Davis et al., Fleischer, and Ellis et al. to include removing adjectives or adverbs from an electronic document prior to its presentation such as that taught by Knauft et al. in order to provide information to a system that is almost as usable as the original (Knauft et al. col. 2, l. 31-33).

NOTE: The USPTO considers the applicant's "selected from the group consisting of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

9. Claims **7**, **15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Fleischer, further in view of Ellis et al., still further in view of Kudrolli et al., and still further in view of Hejna, Jr.

Referring to claims **7** and **15**, the combination of Davis et al., Fleischer, Ellis et al., and Kudrolli et al. teaches the method/non-transitory machine-readable storage medium of claims 4 and 12, respectively. The combination of Davis et al., Fleischer, Ellis et al. and Kudrolli et al. does not specifically teach that the at least one essential word comprises all of the words selected from the group consisting of subjects, objects, nouns, and verbs. Hejna, Jr. discloses removing articles and adjectives from conceptual information contained within TV broadcasts to provide output comprised only of nouns and noun phrases (col. 14, l. 16-19 & col. 16, l. 46-51). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Davis et al., Fleischer, Ellis et al. and Kudrolli et al. to include providing output comprised only of nouns and noun phrases, such as that taught by Hejna, Jr. in order to make a program guide more useful to a viewer and more pleasant to watch (Davis et al. col. 2, l. 38-41).

NOTE: The USPTO considers the applicant's "selected from the group consisting of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

10. Claims **24**, **26**, **27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Fleischer, further in view of Ellis et al., and still further in view of Wehmeyer.

Referring to claim **24**, the combination of Davis et al., Fleischer, and Ellis et al. teaches the apparatus of claim 17. The combination of Davis et al., Fleischer, and Ellis et al. further

teaches that the program listings data are edited through the use of a processor executing a text fit interactive computer program (Davis et al. col. 17, l. 44-46). The combination of Davis et al., Fleischer, and Ellis et al. also teaches that program listings can be listed in an interactive program guide implemented on a cable converter box, the converter box containing processor and memory capabilities (Davis et al. col. 20, l. 1-4). The program schedule information is downloaded and stored in the converter box memory and can be controlled locally (Davis et al. col. 20, l. 18-21, 24-26). The combination of Davis et al., Fleischer, and Ellis et al. does not specifically teach that the text fit system is implemented on a set-top box. Wehmeyer discloses an interface for locally customizing program guide information containing program descriptions (see Abstract) in a cable converter box (col. 10, l. 51-62). Generic program guide information, including program identifiers, is received and stored in the cable converter box (col. 11, l. 11-22). The user may edit text in a cell of the electronic program guide (EPG) by highlighting a cell, selecting an edit text mode key, and entering the desired text. For example, the user may change the text "THE GOLDEN ERA" to "THE ERA" (col. 16, l. 50-64 & Fig. 8). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the text fit system of the combination of Davis et al., Fleischer, and Ellis et al. to be implemented on the cable converter box, rather than the head end, such as that taught by Wehmeyer in order to provide users with ways to customize the program guide list (Wehmeyer col. 2, l. 13-15).

Referring to claims **26** and **27**, the combination of Davis et al., Fleischer, Ellis et al., and Wehmeyer teaches the apparatus of claim 24, wherein the set-top box receives signals through a

satellite network (Davis et al. col. 5, l. 26-28), and wherein the set-top box is connected to a television, and wherein the television is the display device (Davis et al. col. 21, l. 4-8 & Fig. 12).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL VAN HANDEL whose telephone number is (571)272-5968. The examiner can normally be reached on 8:00am-5:30pm Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Van Handel/
Primary Examiner, Art Unit 2424

02/24/2011